

REMARKS/ARGUMENTS

The present application contains original claims 1, 2, 7 and new claim 30. Claims 3-6 and 8-29 have been cancelled, claims, 4 and 26-29 having been cancelled by this Amendment and claims 3, 5, 6 and 8-25 having been cancelled by a prior amendment. Claims 1, 2 and 7 have been amended and claim 30 has been newly added.

Making reference to the Office Action Summary, it is noted that the Office Action is Final and has set a three-month response period. It is submitted that this Amendment and accompanying Request for Continued Examination have been timely filed.

Making reference to the Detailed Action, it is noted that claims 1, 2, 4, 7 and 26-29 have been examined.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2, 4 and 7 have been rejected under 35 U.S.C. §102(b) as unpatentable over Aditya Khosla et al. (U.S. Patent No. 6,202,061) (hereinafter, "Khosla et al."). This rejection is respectfully traversed as regards amended claims 1, 2 and 7, and claim 4 having been cancelled without prejudice to Applicant to expedite the prosecution of this application.

Khosla et al. fails to teach or even suggest a first selection section for selecting two or more images and a comparison image display section configured to display the selected images. To the contrary, Khosla et al. creates an album based on the selection of thumbnails. Making reference to the program Steps 901-911 shown in Fig. 9 of Khosla et al., it should be noted that the thumbnail images are selected by defining certain search parameters. The thumbnail images are displayed as per Step 905 and, by selecting button 108, shown in Fig. 11, a new

album is created or alternatively, by selecting button 1109, the user is allowed to select particular pictures displayed in the search result window 1101. Khosla et al. fails to teach or even remotely suggest a "first category designation section."

The Examiner further states that Khosla et al. discloses "a comparison image display section," making reference to Fig. 12E and areas "1253a" and "1253b." The "comparison image display section" recited in claim 1 displays two or more images selected by the selections section for comparison purposes. Making reference to column 14, lines 30-48 of Khosla et al., it should be noted that the operator has the option of selecting and dragging a selected thumbnail from the thumbnail region 305, and reviewing the thumbnails in order to place a selected thumbnail by "select and drag" one of the two picture slots. In Khosla et al., the PC includes a program which automatically takes pictures from the thumbnail region in the order in which they are presented and places them into consecutive pages of an album being created. The operator can change this arrangement by moving images of the thumbnail region around so that, even though the PC program automatically selects images from the thumbnail region for placement in album pages in a given order, the order of those images entered on album pages may be changed by changing the order of the images in the thumbnail region or, as was described above, selecting and dragging a thumbnail from the thumbnail region to one of the slots of an album page, which arrangement is clearly different from that of the present invention.

The operation of "1253" in Khosla et al. is not for the purpose of displaying images for comparison purposes, but for selecting, classifying and storing images displayed in the thumbnail region 305.

The Examiner further states that Khosla et al. discloses "an image processing section," making reference to column 5, lines 54-56, and stating that a user may process a selected image by "zooming," "rotating," and/or "panning" the image.

Khosla et al. describes Step 249 as changing "the view of an image by zooming, rotating and/or panning the image." Claim 1 recites the image processing section as configured to perform at least one of reducing, enlarging and moving processing on both of the two or more images displayed in the comparison display section.

The Examiner further cites that Khosla et al. teaches in Fig. 8B window "picture properties" as being equivalent of the "selective designation section" recited in claim 1. It should be noted that the "selective designation section" recited in claim 1 is for "selecting and designating an image from among the images compared through the comparison image display section." Khosla et al. is limited to teaching selection of an image from the thumbnail region such as the picture of roses shown in Figs. 8A through 8C and then "selecting album authoring software" which brings up a "picture properties window" 811 such as the general window shown in Fig. 8A, the file properties window shown in Fig. 8B and the album list shown in Fig. 8C. Viewing the image shown in window 807 of Fig. 8A, the "author" (i.e., PC operator) is invited to provide information in each of the windows such as the title window which receives the title "Roses," the window of the date when the picture was taken which receives the date "01/01/80" as well as other information windows shown. The author is invited to fill-in these windows. There is no teaching in Khosla et al. of "a second selection section configured for selecting an image from a comparison region," Khosla et al. being limited to selecting an image from the thumbnail region which typically includes all of the "shoebox" images. Placement of images on the album pages is the final step in Khosla et al. There is no selection of an image following a comparison step, also lacking in Khosla et al.

In addition to all of the above novel and patentable features, the present application teaches, and independent claim 1, as amended, recites "a display control section configured to simultaneously provide a thumbnail area, a comparison area

and a collection area on a common display.” This limitation finds support in paragraph [0139] of the specification, as well as Figure 2 (display device 16) and Figure 11 showing the thumbnail area 41, collection areas 38A-38B and comparison area 51 (comprising sub-areas 51a, 51b). This capability is neither taught nor remotely suggested by Khosla et al., which is limited to simultaneously displaying a thumbnail region 303 and an album page region 309, regions 303 and 307 being limited to displaying icons as shown in Figure 5. Also note Figure 11 of Khosla et al. showing only icons 803 and 805, while showing thumbnail images at 809 and album images at 807. In addition, Khosla et al. clearly lacks a comparison region, as set forth above.

In view of the foregoing, it is submitted that claim 1 distinguishes over Khosla et al.

Regarding claim 7, it is submitted that claim 7 recites substantially all of the limitations set forth in claim 1 as processing (i.e., method) steps and it is submitted that amended claim 7 patentably distinguishes over Khosla et al. for the same reasons set forth above regarding claim 1. Claim 30 depends from claim 7 and carries all of its limitations and hence is deemed to patentably distinguish over Khosla et al. for the same reasons set forth above regarding claims 1 and 7. In addition, there is neither teaching nor remote suggestion in Khosla et al. of “performing image processing so that the images in the comparison area are interlocked and undergo the same processing together” and it is submitted that claim 30 is patentable over Khosla et al. for these added reasons. The limitation of new claim 30 is also recited in amended claim 2 in apparatus form and claim 2 thus distinguishes over Khosla et al. for the same reasons set forth above regarding new claim 30.

Since claims 26-29 have been canceled, the rejection of claims 26-29 under Section 103(a) based on Khosla et al. and Hiroyuki Tokiwa et al. (Japanese Patent Publication No. 2000-298467) (hereinafter, "Tokiwa et al.") is moot.

Claims 1, 2, 7 and 30 all patentably distinguish over Khosla et al. taken alone for the reasons set forth above in Applicant's response to the Section 102 rejection. Although Tokiwa et al. teaches a comparison technique, the features lacking in Khosla et al. are likewise lacking in Tokiwa et al., i.e., there is no teaching of simultaneously providing thumbnail, comparison and collection areas on a common display. In addition, Tokiwa et al. provides only a comparison display where two images are displayed side-by-side (see Drawing 5(a)). In order to make a comparison the user must first independently locate a reference point 46 on one image and then independently locate a reference point 47 on the other image (see Drawing 5(b)). The left-hand image in Drawing 6 (a) is superimposed upon the right-hand image in Drawing 6(b), resulting in Drawing 6(c) and the superimposed images are then processed as one image because they are basically one image. No superimposition of images is required in the present application and it is submitted that claims 1, 7 and 30 patentably distinguish over Khosla et al. combined with Tokiwa et al. for these added reasons.

In view of the foregoing, it is submitted that claims 1, 2, 7 and 30 patentably distinguish over Khosla et al. and reconsideration and allowance of these claims are earnestly solicited.

Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this

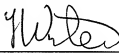
Applicant: Nishiyama et al.
Application No.: 10/725,791

application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1, 2, 7 and 30, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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Enclosure